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PATENT APPLICATION

ATTORNEY DOCKET NO. 200401494-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Iddys D. Figueroa et al.

Confirmation No.: 3173

Application No.: 10/801,381

Examiner: E. Cameron

Filing Date: March 15, 2004

Group Art Unit: 1762

Title: APPLICATION OF A BIOACTIVE AGENT TO A DELIVERY SUBSTRATE

Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, Dec. 19, 2006, rejecting the following claims 1-10 and 29-34. The fee for this Notice of Appeal is (37 CFR 1.17(B)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

☐ 1st Month
\$120

☐ 2nd Month
\$450

☐ 3rd Month
\$1020

☐ 4th Month
\$1590

- ☐ The extension fee has already been filed in this application

- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$ 500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

- ☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450

Date of Deposit:

OR

- ☒ I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-8300.

Date of facsimile: Feb. 6, 2007

Typed Name: Christie A. Doolittle

Signature: Christie A. Doolittle

Respectfully submitted,

Iddys D. Figueroa et al.

By Walter W. Karnstein

Walter W. Karnstein

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Rev 10/05 (Notice of Appeal)

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